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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,253	02/13/2001	Takumi Hasegawa	Q63086	8082

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SUGHRUE, MION, ZINN, MACPEAK & SEAS  
2100 pennsylvania Avenue, N.W.  
Washington, DC 20037

EXAMINER
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DAY, HERNG DER

ART UNIT	PAPER NUMBER
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2128

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/781,253		HASEGAWA, TAKUMI	
	<b>Examiner</b>		<b>Art Unit</b>	
	Herng-der Day		2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This communication is in response to Applicant's Amendment ("Amendment") to Office Action dated May 5, 2005, mailed August 5, 2005.

1-1. Claims 9, 15, and 16 have been amended. Claims 1-26 are pending.

1-2. Claims 1-26 have been examined and rejected.

#### ***Drawings***

2. The replacement sheet of FIG. 3 received August 5, 2005, is acceptable. The objection to the drawings has been withdrawn.

#### ***Specification***

3. The objections to the specification have been withdrawn.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 9, 11-12, 17-18, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuzaki et al., U.S. Patent 5,357,439 issued October 18, 1994.

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**5-1.** Regarding claim 1, Matsuzaki et al. disclose a user's request reflecting design system for timely and accurately reflecting users' requests on a product, comprising:

design data publicizing means for publicizing design data to users through a computer network (design information, FIG. 1);

correction data receiving means for receiving and storing (concept design CAD system 5, FIG. 1) correction data as said design data corrected by a user (customer requirement, FIG. 1) through said computer network (ordering-designing network, FIG. 1); and

design assisting means for reflecting said correction data received by said correction data receiving means on product design (design department, FIG. 1).

**5-2.** Regarding claim 2, Matsuzaki et al. further disclose said design data is three-dimensional data (for example, 3D airplane drawings, FIG. 9).

**5-3.** Regarding claim 3, Matsuzaki et al. further disclose said design data publicizing means including

public design data prepared in advance to be publicized among said design data (design information, column 1, line 60 through column 2, line 8),

an editing program file for editing said public design data (the software supporting the "product specification defining system 1", including the software supporting the "selective indication inputting means 11", FIG. 1 and column 6, lines 15-34), and

a design data publicizing processing unit responsive to a request from a terminal (order window, column 5, lines 51-53) connected to said computer network for transferring said public design data and said editing program file to said terminal (customer inquiry processing unit 1-8, FIG. 2).

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**5-4.** Regarding claim 4, Matsuzaki et al. further disclose said design data publicizing means including

public design data prepared in advance to be publicized among said design data (design information, column 1, line 60 through column 2, line 8),

an editing program file for editing said public design data (the software supporting the “product specification defining system 1”, including the software supporting the “selective indication inputting means 11”, FIG. 1 and column 6, lines 15-34), and

a design data publicizing processing unit responsive to a request from a terminal connected to said computer network for transferring said public design data and said editing program file to said terminal (customer inquiry processing unit 1-8, FIG. 2), and wherein

said editing program file enables editing of three-dimensional data (for example, 3D airplane drawings, FIG. 9).

**5-5.** Regarding claim 9, Matsuzaki et al. further disclose said design data publicizing processing unit including

information entry selecting means allowing a user to select either information entry in the form of a menu or transfer of said public design data and an editing program file (Menu selection, FIG. 4).

**5-6.** Regarding claim 11, Matsuzaki et al. disclose a user’s request reflecting design method of timely and accurately reflecting users’ requests on a product, comprising the steps of:

publicizing design data to users through a computer network (design information, FIG. 1);

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receiving correction data as said design data corrected by a user (customer requirement, FIG. 1) through said computer network (ordering-designing network, FIG. 1); and

reflecting said correction data received on product design (design department, FIG. 1).

**5-7.** Regarding claim 12, Matsuzaki et al. further disclose said design data publicizing step including the step of

in response to a request from a terminal connected to said computer network, transferring public design data prepared in advance to be publicized among said design data (design information, column 1, line 60 through column 2, line 8) and an editing program file for editing said public design data (the software supporting the “product specification defining system 1”, including the software supporting the “selective indication inputting means 11”, FIG. 1 and column 6, lines 15-34) to said terminal (order window, column 5, lines 51-53).

**5-8.** Regarding claim 17, Matsuzaki et al. disclose a server of a user's request reflecting design system for timely and accurately reflecting users' requests on a product, comprising:

design data publicizing means for publicizing design data to users through a computer network (design information, FIG. 1); and

correction data receiving means for receiving correction data as said design data corrected by a user through said computer network (customer requirement, FIG. 1) and storing said correction data so as to be usable by design assisting means for reflecting said correction data on product design (design department, FIG. 1).

**5-9.** Regarding claim 18, Matsuzaki et al. further disclose said design data publicizing means including

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public design data prepared in advance to be publicized among said design data (design information, column 1, line 60 through column 2, line 8),

an editing program file for editing said public design data (the software supporting the “product specification defining system 1”, including the software supporting the “selective indication inputting means 11”, FIG. 1 and column 6, lines 15-34), and

a design data publicizing processing unit (customer inquiry processing unit 1-8, FIG. 2) responsive to a request from a terminal connected to said computer network for transferring said public design data and said editing program file to said terminal (order window, column 5, lines 51-53).

**5-10.** Regarding claim 23, Matsuzaki et al. further disclose said design data publicizing processing unit including

information entry selecting means allowing a user to select either information entry in the form of a menu or transfer of said public design data and said editing program file (Menu selection, FIG. 4).

### ***Claim Rejections - 35 USC § 103***

**6.** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 5-8, 10, 13-16, 19-22, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki et al., U.S. Patent 5,357,439 issued October 18, 1994, in view of Suda et al., U.S. Patent 6,279,000 B1 issued August 21, 2001, and filed December 29, 1997.

7-1. Regarding claims 5, 7, and 10, Matsuzaki et al. disclose a user's request reflecting design system in claim 1. Matsuzaki et al. fail to expressly disclose (1) said correction data receiving means including a data base for registering said correction data, and a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base; and (2) said received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail.

Suda et al. disclose an information processing apparatus that can reduce the operating load placed on a user when effective information is to be extracted from information that is input (column 1, lines 36-40). When electronic mail is received, the content of the electronic mail is analyzed. An item concerning a schedule is extracted from the analysis results and stored as a user's schedule in a database employed for the storage of schedule data (Abstract). In other words, by analyzing the received electronic mail, specific items (e.g., concerning a schedule) are extracted, classified, registered, and stored (e.g., stored as a user's schedule in a database).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Matsuzaki et al. to incorporate the teachings of Suda et al. to obtain the invention as specified in claims 5, 7, and 10 because by incorporating Suda's information processing apparatus the operating load placed on a designer would be reduced



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when effective information is to be extracted from information that is input (column 1, lines 36-40).

7-2. Regarding claim 6, the system claim includes combined system limitations of claims 3 and 5 and is unpatentable using the same analysis of claims 3 and 5.

7-3. Regarding claim 8, the system claim includes combined system limitations of claims 3 and 7 and is unpatentable using the same analysis of claims 3 and 7.

7-4. Regarding claims 13 and 15, Matsuzaki et al. disclose a user's request reflecting design method in claim 11. Matsuzaki et al. fail to expressly disclose (1) said correction data receiving step including the step of receiving an electronic mail to which said correction data is attached and registering said correction data in a data base for registering said correction data; and (2) classifying said correction data attached and registering said correction data in a data base based on personal information of a user recited in said electronic mail.

Suda et al. disclose an information processing apparatus that can reduce the operating load placed on a user when effective information is to be extracted from information that is input (column 1, lines 36-40). When electronic mail is received, the content of the electronic mail is analyzed. An item concerning a schedule is extracted from the analysis results and stored as a user's schedule in a database employed for the storage of schedule data (Abstract). In other words, by analyzing the received electronic mail, specific items (e.g., concerning a schedule) are extracted, classified, registered, and stored (e.g., stored as a user's schedule in a database).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Matsuzaki et al. to incorporate the teachings of Suda et al. to obtain the invention as specified in claims 13 and 15 because by incorporating Suda's

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information processing apparatus the operating load placed on a designer would be reduced when effective information is to be extracted from information that is input (column 1, lines 36-40).

7-5. Regarding claim 14, the method claim includes combined method limitations of claims 12 and 13 and is unpatentable using the same analysis of claims 12 and 13.

7-6. Regarding claim 16, the method claim includes combined method limitations of claims 12 and 15 and is unpatentable using the same analysis of claims 12 and 15.

7-7. Regarding claims 19 and 21, Matsuzaki et al. disclose a server of a user's request reflecting design system in claim 17. Matsuzaki et al. fail to expressly disclose (1) said correction data receiving means including a data base for registering said correction data, and a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base; and (2) said received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail.

Suda et al. disclose an information processing apparatus that can reduce the operating load placed on a user when effective information is to be extracted from information that is input (column 1, lines 36-40). When electronic mail is received, the content of the electronic mail is analyzed. An item concerning a schedule is extracted from the analysis results and stored as a user's schedule in a database employed for the storage of schedule data (Abstract). In other words, by analyzing the received electronic mail, specific items (e.g., concerning a schedule) are extracted, classified, registered, and stored (e.g., stored as a user's schedule in a database).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Matsuzaki et al. to incorporate the teachings of Suda et al. to obtain the invention as specified in claims 19 and 21 because by incorporating Suda's information processing apparatus the operating load placed on a designer would be reduced when effective information is to be extracted from information that is input (column 1, lines 36-40).

7-8. Regarding claim 20, the server claim includes combined server limitations of claims 18 and 19 and is unpatentable using the same analysis of claims 18 and 19.

7-9. Regarding claim 22, the server claim includes combined server limitations of claims 18 and 21 and is unpatentable using the same analysis of claims 18 and 21.

7-10. Regarding claim 23, Suda et al. further disclose:

an electronic mail, to which said correction data is attached, is received at said correction data receiving means, said electronic mail comprising personal information of the user (For example, user's address is personal information).

7-11. Regarding claim 24, Suda et al. further disclose comprising:

receiving an electronic mail to which said correction data is attached, said electronic mail comprising personal information of the user (For example, user's address is personal information).

7-12. Regarding claim 25, Suda et al. further disclose:

an electronic mail, to which said correction data is attached, is received at said correction data receiving means, said electronic mail comprising personal information of the user (For example, user's address is personal information).

*Applicant's Arguments*

8. Applicant argues the following:

8-1. Rejection Under 35 U.S.C. § 112, Second Paragraph

(1) "Applicant has editorially amended claims 15 and 16, and now respectfully requests withdrawal of the rejection under 35 U.S.C. § 112, second paragraph" (page 16, paragraphs 2, Amendment).

8-2. Rejection Under 35 U.S.C. § 102(e)

(2) "Matsuzaki's product specification is not design data which has been corrected by a user through a computer network" and "Matsuzaki's products are created based entirely on customer entered product specification, and the customer does not correct existing design data" (page 18, paragraph 1, Amendment).

(3) "Matsuzaki does not discuss design assisting means utilizing correction data received by correction data receiving means, wherein the correction data is design data corrected by a user through a computer network, as claimed" (page 19, paragraph 1, Amendment).

(4) "There is no mention in Matsuzaki of transferring an editing program file to a terminal" (page 19, paragraph 2, Amendment).

8-3. Rejection Under 35 U.S.C. § 103(a)

(5) "Suda does not remedy the deficiencies of Matsuzaki" (page 20, paragraph 3, Amendment) and "Neither Matsuzaki nor Suda teach or suggest the transfer of an editing program file along with public design data to a terminal connected to a computer network" (page 21, paragraph 2, Amendment).

*Response to Arguments*

9. Applicant's arguments have been fully considered.

9-1. Applicant's argument (1) is persuasive. The rejections of claims 15-16 under 35 U.S.C. 112, second paragraph, in Office Action dated May 5, 2005, have been withdrawn.

9-2. Applicant's argument (2) is not persuasive. For example, as described in column 10, lines 6-35, Matsuzaki et al. disclose expressly how a customer may input or change the existing specification of the product, i.e., correct existing design data, to meet customer's requirement.

9-3. Applicant's argument (3) is not persuasive. For example, as described in column 2, lines 16-25, Matsuzaki et al. disclose expressly how to use means for transmitting the specification of the product required by the customer (the corrected design data by a user through a computer network) to the designing department and means for designing the product according to the required specification (design assisting means).

9-4. Response to Applicant's arguments (4) and (5), transferring program files or data files is well known in the networked environment.

*Conclusion*

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Herng-der Day whose telephone number is (571) 272-3777. The Examiner can normally be reached on 9:00 - 17:30.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kamini S. Shah can be reached on (571) 272-2279. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Herng-der Day  
October 17, 2005 *H.D.*

*Thai Phan*  
Thai Phan  
Primary Examiner  
Au: 2128